

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) An optical disc comprising at least two writable layers and at least two defect management areas, a first one of the at least two defect management areas being positioned on a first one of the at least two writable layers at a first radial position, a second one of the at least two defect management areas being positioned on a second one of the at least two writable layers at a second radial position being different than the first radial position, wherein at the radial position of the first one of the at least two defect management areas, no other defect management areas are positioned.
2. (Cancelled).
3. (Currently Amended) ~~An~~The optical disc comprising at least two writable layers as claimed in claim 1, wherein the at least two defect management areas are evenly spread over a radial position on the disc.
4. (Currently Amended) ~~An~~The optical disc comprising at least two writable layers as claimed in claim 1, wherein one defect management area is located on each one of the at least two writable layers.

5. (Currently Amended) ~~An~~The optical disc comprising at least two writable layers as claimed in claim 1, wherein the first radial position is an inner side of the disc, and the second radial position is an outer side of the disc.

6. (Currently Amended) ~~An~~The optical disc comprising at least two writable layers as claimed in claim 1, wherein the first radial position is an inner side of the disc, and wherein a third one of the at least two defect management areas is present on the first one of the layers at a radial position corresponding to an outer side of the disc, and wherein the second radial position is in-between the first radial position and the third radial position.

7. (Currently Amended) ~~An~~The optical disc comprising at least two writable layers as claimed in claim 1, wherein a plurality of the at least two defect management areas is located on the first layer on a plurality of different evenly distributed first radial positions, and wherein a plurality of the at least two defect management areas is located on the second layer on a plurality of different evenly distributed second radial positions, the first and second radial positions being selected to obtain substantially equal radial distances between defect management areas being successive in the radial direction.

8. (Currently Amended) An apparatus for accessing an optical disc comprising at least two writable layers and at least two

defect management areas being positioned on different ones of the at least two writable layers on different radial positions, wherein at the radial position of the first one of the at least two defect management areas, no other defect management areas are positioned, the apparatus comprising:

an optical element for generating a light beam directed towards the optical disc and for receiving a reflected light beam being reflected by the optical disc while rotating;

a ~~focussing~~-focusing circuit for ~~focussing~~-focusing the light beam on one of the at least two writable layers;

a position circuit for radially positioning the light beam with respect to the optical disc;

a motor for rotating the optical disc with respect to the optical element; and

a signal processing circuit for writing or reading data to or from the optical disc.

9. (Currently Amended) A method of positioning defect management areas on an optical disc comprising at least two writable layers, the method comprises positioning at least two defect management areas on different ones of the at least two writable layers on different radial positions, wherein at the radial position of the first one of the at least two defect management areas, no other defect management areas are positioned.

10. (Currently Amended) A computer-readable medium having recorded thereon a computer program product for recording information, which said computer program is being operative to
cause a processor to perform the method as claimed in claim 9.

11. (New) The apparatus as claimed in claim 8, wherein said apparatus further comprises a controller for controlling: the motor to rotate the optical disc, the focusing circuit to supply the focusing signal, the position circuit to supply the position signal, and the signal processing circuit to write the data to and reading the data from the optical disc to or from a data area or to or from one of the defect management areas, wherein the controller controls the positioning circuit to move the light beam from an error area in one of the data areas to a nearest one of the defect management areas, said nearest one of the defect management areas being located on another layer of the optical disc.

12. (New) The method of positioning defect management areas as claimed in claim 9, wherein said method further comprises the steps of:

 controlling a write or read process from or to the optical disc by supplying a positioning signal for controlling the positioning to move a light beam from an actual radial position at which an error area is present to a nearest one of the at least two defect areas; and

controlling a focusing of the light beam on one of the at least two writable layers to focus on the one of the two writable layers at which the one of the at least two defect areas is present to which the light beam is moved.

13. (New) The method of positioning defect management areas as claimed in claim 9, wherein said method further comprises the steps of:

rotating the optical disc with a motor;

supplying a focusing signal by a focusing circuit to an optical element to focus a light beam on one of the at least two writable layers of the optical disc;

supplying a position signal by a positioning circuit to radially position the light beam with respect to the optical disc;

writing data to or reading data from the optical disc by a signal processing circuit; and

controlling by a controller: the rotating of the optical disc, the supplying of the focusing signal, the supplying of the position signal, and the writing data to and reading data from the optical disc to or from a data area or to or from one of the defect management areas,

wherein the positioning circuit is controlled for moving the light beam from an error area in one of the data areas to a nearest one of the defect management areas, which nearest one of the defect management areas is located on another layer of the optical disc.